

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Annual Assessment of the Status of)	
Competition in the Market for the)	MB Docket No. 05-255
Delivery of Video Programming)	
)	
To: The Commission)	

Dated: September 20, 2005

MOTION TO ACCEPT LATE-FILED COMMENTS

On behalf of the American Cable Association ("ACA"), we file this Motion to Accept Late-Filed Comments under 47 CFR § 1.46.

1. Comments were due in this proceeding on September 19, 2005.
2. On September 19, 2005 at 7:00 PM, the undersigned filed ACA's Comments on the Federal Communication Commission (FCC)'s Electronic Comment Filing System (ECFS) at http://gulfoss2.fcc.gov/prod/ecfs/upload_v2.cgi.
3. The ECFS system did not generate a confirmation of the filing.
4. On the morning of September 20, 2005, Emily Denney of Cinnamon Mueller called the ECFS Help Line to obtain confirmation that ACA's Comments were filed.
5. FCC personnel indicated that the FCC's ECFS website was unavailable from 6:30 P.M. on September 19, 2005 until 7:30 A.M. through September 20, 2005.
6. FCC personnel stated that because the ECFS system was unavailable when ACA tried to submit its Comments, ACA's Comments were not accepted and

ACA would need to resubmit its Comments with a Motion to Accept Late Filed-Comments.

7. We file ACA's Comments through the FCC's ECFS website today on September 20, 2005 along with this Motion.
8. Under 47 CFR § 1.46(a), the Commission will consider motions for acceptance of Comments made after the filing date.
9. Accepting ACA's Comments is in the public interest, as the Comments will provide a more complete and accurate record in this matter.
10. Accepting ACA's Comments will not prejudice any party to this proceeding, considering that ACA's Comments were timely filed but for a malfunction on the FCC's ECFS website and the Comments are only one day late.
11. For these reasons, we respectfully request that the Commission accept ACA's Comments as timely-filed.

Respectfully submitted,

_____/s/_____

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September 20, 2005